

Region 2

JAN 19 2017

DELEGATION OF AUTHORITY – CERCLA

14-14-C. Administrative Actions through Consent Orders

1. PURPOSE: This order redelegates certain authorities conferred on the regional administrator by Delegation 14-14C of the EPA Delegations Manual.
2. AUTHORITY: After giving notice to the affected state, to take administrative action pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including sections 104, 106, and 122, including, but not limited to, issuing such orders on consent as may be necessary to protect public health and welfare and the environment.
3. TO WHOM REDELEGATED: The director of the Emergency and Remedial Response Division.
4. LIMITATIONS:
 - a. This authority does not include recovery of response costs under CERCLA section 122(h) or settlements with de minimis parties under CERCLA section 122(g).
 - b. Redelegatees should exercise this authority consistent with the most recent version of the “OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart,” or successor documents, as appropriate.
 - c. Redelegatees must obtain the advance concurrence of the regional counsel on the legal sufficiency of the action before exercising this authority. The RC may waive concurrence in writing.
5. FURTHER REDELEGATION:
 - a. This authority may be redelegated to the branch chief level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
6. ADDITIONAL REFERENCES:
 - a. Applicable U.S. Environmental Protection Agency guidance and directives.
 - b. Authority to enter into or exercise EPA concurrence authority for non-judicial cost recovery agreements or administrative orders under CERCLA section 122(h) is delegated in

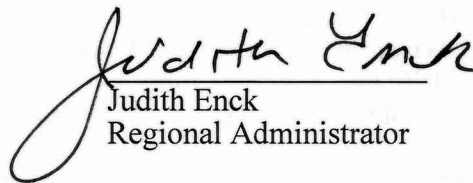
ORDER

R-1200

Agency Delegation 14-14D, "Cost Recovery Non-Judicial Agreements and Administrative Consent Orders."

c. Authority to enter into or exercise agency concurrence authority in de minimis settlements under CERCLA section 122(g) is delegated in Agency Delegation 14-14E, "De Minimis Settlements."

7. **SUPERSESSION:** This redelegation supersedes Regional Order R-1200 (redelegation of 14-14-C) dated November 23, 2004.



Judith Enck
Regional Administrator